

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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|-----------------------------|---|-----------------------------|
| MKS INSTRUMENTS, INC. and | : | |
| APPLIED SCIENCE AND | : | |
| TECHNOLOGY, INC., | : | |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | Civil Action No. 03-469-JJF |
| | : | |
| ADVANCED ENERGY INDUSTRIES, | : | |
| INC., | : | |
| | : | |
| Defendant. | : | |

ORDER AMENDING MEMORANDUM OPINION

At Wilmington, this 28th day of July 2004, IT IS HEREBY ORDERED that the first paragraph, on page one, of the Court's Memorandum Opinion dated July 16, 2004 (D.I. 216) should be amended to read as follows:

Presently before me is the Motion For Partial Summary Judgment Of Non-Infringement Under The Doctrine Of Equivalents (D.I. 139) filed by Advanced Energy Industries, Inc. For the reasons discussed, the Motion will be granted.

JOSEPH J. FARNAN, JR.
UNITED STATES DISTRICT JUDGE